



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

usefulness to those who are seeking the solution of concrete problems. Nor is the author content merely to classify and digest the authorities bearing upon valuation, but he also attempts, as the writer of a text book should, to point out the principles which do, or which ought to underlie the decisions, and to suggest the results which should be reached where the law is still unsettled.

The subject matter of this treatise is well arranged, and the book is well balanced. It would make too long a list to set forth the titles of all of the thirty-two chapters to show the comprehensiveness of the discussion, but a few of them should be noted. Three of the early chapters are entitled respectively "Market Value as a Standard for Rate Purposes," "Cost of Reproduction as a Standard Value for Rate Purposes," and "Actual Cost as a Standard of Value for Rate Purposes." There is a very useful chapter entitled "Valuation of Land," and another entitled "Overhead Charges." There are four chapters on different questions connected with the subject of "depreciation," and five chapters are devoted to the difficult subject of "going value," or the value of a business as a "going concern."

In his last chapter the author has introduced a twenty-five page bibliography of valuation and depreciation, which should prove of the greatest value to those who wish to carry on exhaustive investigations with regard to these subjects.

The arrangement of the table of cases is also to be commended. Instead of giving there merely the names of cases with the numbers of the paragraphs in which they are referred to, or discussed, the author adds to each paragraph reference a few words showing the phase of the case which is there considered. For example, we find the following: "*Beloit v. Beloit Water, Gas and Electric Company*. 7 W. R. C. R. 187. July 19, 1911. § 163, Pavement over mains. § 184, Property donated. § 211, Unused property. § 286, Overhead charges. § 343, Working capital. § 360, Piecemeal construction. § 396, Depreciation. § 612, Going concern."

Mr. Whitten's book constitutes a thorough and critical consideration of practically all of the material on the subject of valuation, and is also mechanically an excellent piece of work. It will certainly prove very useful to the legal profession, and will be invaluable to special investigators in the field of public service.

Charles K. Burdick.

BOYCOTTS AND THE LABOR STRUGGLE: ECONOMIC AND LEGAL ASPECTS. By HARRY W. LAIDLER. With an Introduction by HENRY R. SEAGER, Ph.D., Professor of Political Economy, Columbia University. New York: JOHN LANE Co. 1913. pp. 488.

This study of the boycott is the most complete and most satisfactory that has yet appeared. In the three parts into which the book is divided are treated "Economic Aspects of Boycotts," "Legal Aspects of Boycotts," and "Boycotts in the Light of Social and Economic Conditions." Following a brief history of their origin and early use is a chapter suggestive in its emphasis on the variety and extent of the application of boycotts outside of the employer and employee relation—such as consumers' boycotts, blacklists, trade boycotts, political boycotts, international boycotts and other forms. Then a variety of interesting material follows dealing with labor's use of this weapon. The legal aspects are treated by arranging legislation and court opinions under the two general topics, "Legality" and "Illegality." Following this, the

social considerations are taken up in a comprehensive way, still following the *pro* and *con* arrangement of material. The two closing chapters, "Possible Recourse of Labor if Permanently Deprived of the Boycott," and "Probable Outcome if the Boycott is Legalized" round out the presentation.

Throughout the book the reader is constantly aware of the author's concern to present a variety of reliable facts and well founded first-hand opinions upon which conclusions may be based. In this respect the work is admirably done. All points of view are impartially presented.

One conclusion to which facts seem to point is that in the light of the meagre evidence on the results of boycotting it seems to be a growing opinion among the leaders of organized labor that the boycott is successful in proportion to the rareness of its use. When used but seldom and only with caution and kept within narrow limits, success is more likely to follow.

Another conclusion read between the lines is that the attitude of law toward boycott is developing along the same lines as it has in case of strikes, though lagging several years behind. The logic of events has forced the legal recognition of the strike. For the same reason must come a yielding of legal opposition to the boycott.

Though the author does not seek to impose his own opinion on the reader, it becomes apparent that in his own mind he is impressed with the disadvantages of laborers in the struggle for collective bargaining and with the necessity for granting the right to use the boycott subject to reasonable restriction. At the end the conclusion of the author is stated very directly. In view of all the many facts on all sides the author is in favor of legalizing the boycott, meaning thereby "that neither the injunction nor the civil nor criminal process should be employed against the primary or the secondary boycott, nor against that form of the compound boycott which involves only the threat to injure the business of another by the withdrawal of patronage or labor." He "of course would not include in this exemption the threat of actual violence to person and property." (p. 351). To this conclusion the reviewer can take no exception. It seems inevitable.

That federal courts have based their opposition on the terms of the federal statutes, the Sherman Law and the Interstate Commerce Law, is asserted by the author. (p. 234). It seems to the reviewer that this statement is misleading, as it appears to point to the inference that in the absence of federal statutory enactment the right to boycott would have been sustained. In *Loewe v. Lawlor* (1907) 208 U. S. 274, 292, one of the cases in point, the following appears in the opinion: "In our opinion, the combination described in the declaration is a combination 'in restraint of trade or commerce among the several States,' in the sense in which those words are used in the act, and the action can be sustained accordingly. \* \* \* The combination charged falls within the class of restraints of trade aimed at compelling third parties and strangers involuntarily not to engage in the course of trade except on conditions that the combination imposes; and there is no doubt that (to quote from the well-known work of Chief Justice Erle on Trade Unions) 'at common law every person has individually, and the public also has collectively, a right to require that the course of trade should be kept free from unreasonable obstruction.'" Here is a peg on which might be hung a common law decision unfavorable to the boycott.

For a book so well worth careful study it is unfortunate that the mechanical side has received such hasty attention. Quite too free use (in the reviewer's opinion) has been made of italics in quotations. Some of the case references in the foot notes contain volume and page figures, but others give only the name of the case and the year. The complete list of titles of cases with full reference given at the end of the book would seem quite sufficient. Carelessness in the use of proper names is not infrequently shown.

In the words that Professor Seager uses in his brief introduction: "The publication of so careful a study of this important phase of the labor problem could hardly be more timely. \* \* \* To Federal Commissioners, to members of Congress, and legislators generally, to lawyers, to judges and to students and teachers of economics, as well as to labor leaders and employers of labor, the book is to be heartily commended."

*George Gorham Groat.*

#### BOOKS RECEIVED.

COMMENTARIES ON THE LAW OF EVIDENCE IN CIVIL CASES. By BURR W. JONES. Revised by L. HORWITZ. San Francisco: THE BANCROFT-WHITNEY Co. 1913. Vol. I. pp. xxxvi, 1031; Vol. II, x, 1071; Vol. III, x, 1036.

CHAPTERS ON THE LAW RELATING TO THE COLONIES. By SIR CHARLES JAMES TARRING, KT. London: STEVENS & HAYNES. 1913. pp. xxii, 398.

THE AMERICAN DOCTRINE OF JUDICIAL SUPREMACY. By CHARLES GROVE HAINES, Ph. D. New York: THE MACMILLAN Co. 1914. pp. xviii, 365.

GREAT JURISTS OF THE WORLD. (Continental Legal History Series, Vol. II.) Edited by Sir JOHN McDONNELL and EDWARD MANSON. (With introduction by Van Vechten Veeder.) Boston: LITTLE, BROWN & Co. 1914. pp. xxxii, 607.

CRIMINOLOGY. (Modern Criminal Science Series, VII.) By BARON RAFFAELE GAROFALO. Boston: LITTLE, BROWN & Co. 1914. pp. xl, 478.

LAW AS A MEANS TO AN END. (Modern Legal Philosophy Series, Vol. V.) By RUDOLF VON IHERING. Boston: BOSTON BOOK Co. 1913. pp. lix, 483.

HANDBOOK OF JURISDICTION AND PROCEDURE IN UNITED STATES COURTS. (Hornbook Series.) Second Edition. By ROBERT M. HUGHES, M.A. St. Paul: WEST PUBLISHING Co. 1913. pp. xvi, 766.

HANDBOOK OF THE LAW OF MUNICIPAL CORPORATIONS. (Hornbook Series.) By ROGER W. COOLEY, LL.M. St. Paul: WEST PUBLISHING Co. 1914. p. xii, 711.

UNPOPULAR GOVERNMENT IN THE UNITED STATES. By ALBERT M. KALES. Chicago: CHICAGO UNIVERSITY PRESS. 1914. pp. 263.

A BRIEF SURVEY OF THE JURISDICTION AND PRACTICE OF THE COURTS OF THE UNITED STATES. By CHARLES W. BUNN. St. Paul: WEST PUBLISHING Co. 1914. pp. 129.

A TREATISE ON THE AMERICAN LAW RELATING TO MINES AND MINERAL LANDS. Third Edition. By CURTIS H. LINDLEY, of the San Francisco Bar. San Francisco: BANCROFT-WHITNEY Co. 1914. Vol. I, pp. cclii, 730; Vol. II, 955; Vol. III, 1127.

PRINCIPLES OF CORPORATION LAW. Second Edition. By JOSEPH C. FRANCE, Lecturer on the Law of Corporations in University of Maryland. Baltimore: M. CURLANDER. 1914. pp. xxii, 463.

LANDMARKS OF A LAWYER'S LIFETIME. By THERON G. STRONG, of the New York Bar. New York: DODD, MEAD & Co. 1914. pp. 552.